



General Assembly

February Session, 2008

Raised Bill No. 459

LCO No. 2260

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Referred to Committee on Public Health

Introduced by:
(PH)

***AN ACT PROMOTING THE EARLY DETECTION, DIAGNOSIS AND
TREATMENT OF LUNG CANCER, BREAST CANCER AND CERVICAL
CANCER.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (a) of section 19a-266 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2008*):

4 (a) For purposes of this section:

5 (1) "Breast cancer screening and referral services" means necessary
6 breast cancer screening services and referral services for a procedure
7 intended to treat cancer of the human breast, including, but not limited
8 to, surgery, radiation therapy, chemotherapy, hormonal therapy and
9 related medical follow-up services.

10 (2) "Cervical cancer screening and referral services" means necessary
11 cervical cancer screening services and referral services for a procedure
12 intended to treat cancer of the human cervix, including, but not limited
13 to, surgery, radiation therapy, cryotherapy, electrocoagulation and
14 related medical follow-up services.

15 (3) "Unserved or underserved populations" means women who are:
16 (A) At or below two hundred fifty per cent of the federal poverty level
17 for individuals; (B) without health insurance that covers breast cancer
18 screening mammography or cervical cancer screening services; and (C)
19 nineteen to sixty-four years of age.

20 Sec. 2. (*Effective July 1, 2008*) Notwithstanding the provisions of
21 section 4-28e of the general statutes, for the fiscal year ending June 30,
22 2009, the sum of fifteen million, seven hundred fifty thousand dollars
23 shall be transferred from the Tobacco and Health Trust Fund to the
24 Department of Public Health to provide funding for cancer prevention
25 programs and initiatives that are a component piece of the state's
26 comprehensive cancer plan established pursuant to section 19a-73a of
27 the general statutes.

28 Sec. 3. Subsections (a) and (b) of section 17b-278b of the general
29 statutes are repealed and the following is substituted in lieu thereof
30 (*Effective July 1, 2008*):

31 (a) The Commissioner of Social Services shall provide coverage
32 under the Medicaid program in accordance with Public Law 106-354 to
33 women diagnosed with breast or cervical cancer. The commissioner
34 shall seek any federal waivers or amend the state Medicaid plan as
35 necessary in order to secure federal reimbursement for the costs of
36 providing coverage under the Medicaid program to such women. Such
37 coverage shall not be dependent on the available income or assets of an
38 applicant. In addition, such coverage shall not be dependent on
39 whether a provider of screening services receives funds pursuant to
40 the Centers for Disease Control and Prevention's National Breast and
41 Cervical Cancer Early Detection Program.

42 (b) To qualify for medical assistance under this section, a woman
43 shall: (1) Have been screened for breast or cervical cancer by a
44 provider who adheres to guidelines established under the Centers for
45 Disease Control and Prevention's National Breast and Cervical Cancer
46 Early Detection Program and found to be in need of treatment for

47 breast or cervical cancer, including a precancerous condition of the
48 breast or cervix; (2) not otherwise have creditable coverage, as defined
49 in 42 USC 300gg(c); (3) not have attained the age of sixty-five years; (4)
50 not be eligible under any mandatory Medicaid eligibility group; and
51 (5) be a resident of this state and a United States citizen or a qualified
52 alien, as defined in Section 431 of Public Law 104-193.

53 Sec. 4. Subsections (c) and (d) of section 19a-266 of the general
54 statutes are repealed and the following is substituted in lieu thereof
55 (*Effective July 1, 2008*):

56 (c) The program shall include, but not be limited to:

57 (1) Establishment of a public education and outreach initiative to
58 publicize breast cancer and cervical cancer early detection services and
59 the extent of coverage for such services by health insurance; the
60 benefits of early detection of breast cancer and the recommended
61 frequency of screening services, including clinical breast examinations
62 and mammography; and the medical assistance program and other
63 public and private programs and the benefits of early detection of
64 cervical cancer and the recommended frequency of pap tests;

65 (2) Development of professional education programs, including the
66 benefits of early detection of breast cancer and the recommended
67 frequency of mammography and the benefits of early detection of
68 cervical cancer and the recommended frequency of pap tests;

69 (3) Establishment of a system to track and follow up on all women
70 screened for breast cancer and cervical cancer in the program. The
71 system shall include, but not be limited to, follow-up of abnormal
72 screening tests and referral to treatment when needed and tracking
73 women to be screened at recommended screening intervals;

74 (4) Assurance that unserved and underserved populations have
75 access to services from a broad array of health care providers,
76 including, but not limited to, community health centers and that all

77 participating providers of breast cancer and cervical cancer screening
78 are in compliance with national and state quality assurance legislative
79 mandates.

80 (d) The Department of Public Health shall provide unserved or
81 underserved populations, within existing appropriations and through
82 contracts with a broad array of health care providers, including, but
83 not limited to, community health centers: (1) Clinical breast
84 examinations, screening mammograms and pap tests, as
85 recommended in the most current breast and cervical cancer screening
86 guidelines established by the United States Preventive Services Task
87 Force, for the woman's age and medical history; (2) a sixty-day follow-
88 up pap test for victims of sexual assault; and (3) a pap test every six
89 months for women who have tested HIV positive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	19a-266(a)
Sec. 2	<i>July 1, 2008</i>	New section
Sec. 3	<i>July 1, 2008</i>	17b-278b(a) and (b)
Sec. 4	<i>July 1, 2008</i>	19a-266(c) and (d)

Statement of Purpose:

To promote the early detection, diagnosis and treatment of lung cancer, breast cancer and cervical cancer.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]